

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

**KIMBERLY BOWERS**, individually and  
as natural parent and next friend of  
**MARK BOWERS**, a juvenile,

and

**KEVIN BOWERS, JR.**,

Plaintiffs,

v.

Civil Action No. 5:07CV1  
Honorable Frederick P. Stamp, Jr.

**ERIC POPISH**, individually and in  
his capacity as agent and employee of the  
City of Weirton,

and

**CITY OF WEIRTON**, a West  
Virginia municipal corporation,

Defendants.

**ORDER DENYING MOTION AS MOOT**

Counsel for Plaintiffs advised by telephone that the above-styled case has been settled.

Plaintiffs' Motion to Compel<sup>1</sup> is **DENIED AS MOOT**.

IT IS SO ORDERED.

The Clerk of the Court is directed to provide a copy of this Order to parties who appear pro se and all counsel of record, as applicable, as provided in the Administrative Procedures for Electronic Case Filing in the United States District Court for the Northern District of West Virginia.

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<sup>1</sup> Doc. No. 34.

DATED: February 21, 2008

*/s/ James E. Seibert*

JAMES E. SEIBERT  
UNITED STATES MAGISTRATE JUDGE